



Hellerstein, J.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_X Case No.: 21 MC 103(AKH)

IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION

\_\_\_\_\_X **STIPULATION OF DISCONTINUANCE AS  
TO DEFENDANT, NEW YORK CITY  
ECONOMIC DEVELOPMENT  
CORPORATION ONLY**

THIS DOCUMENT APPLIES TO ALL LOWER  
MANHATTAN DISASTER SITE LITIGATION

\_\_\_\_\_X

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned for the parties herein, that whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action and based on the representation of the within defendant, and to the extent of Plaintiff(s) can so Stipulate that each claim, cross-claim and counter-claim asserted by and against defendant *NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION*, only as to the claims being made as to the premises located at One Liberty Plaza, New York, New York and 76/78 Trinity Place, New York, New York shall be and the same hereby are discontinued without prejudice and without costs to any party as against the other.

IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout the court of the litigation which determines that the *NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION* is proper party to this suit, that plaintiff(s) may reinstitute the action without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York  
July 12, 2007

McGIVNEY & KLUGER, P.C.  
Attorneys for Defendant  
NEW YORK CITY ECONOMIC  
DEVELOPMENT CORPORATION

WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorneys for Plaintiff(s)

By:

Richard B. LeBlanc (REL-2123)  
80 Broad Street, 23<sup>rd</sup> Floor  
New York, New York 10004  
(212) 509-3456

By:

Christopher R. LoPalo (CL-6866)  
115 Broadway 12<sup>th</sup> Floor  
New York, NY 10006  
(212) 267-3709

SO ORDERED: 8/9/07

U.S.D.J.

Stephen Addeo	06CV9963
Faisal Choudhury	07CV05404
Michael Devito	05CV1517
Donald Foley	07CV657
John E. Greaney	06CV06737
Philip Jude	06CV7450
Thomas Maher	07CV05416
Michael G. Murphy (And Wife, Elizabeth Murphy)	07CV05418
William Noesges (And Wife, Denise Noesges)	06CV14925
Michael Ramirez (And Wife, Dianne D. Jackson)	Unknown at this time. 07CV5422
Roland Renaudin	Unknown at this time. 07CV05423
Guy Zammit (And Wife, Deanna Zammit)	06CV15155
Cori Gallo (And Wife, Magdalena Gallo)	06CV11810
Mark Demauro (And Wife, Gina Demauro)	05CV4335